

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE: NATHANAEL ABRON

Case Number: 13-48586  
Chapter 13  
Judge MCIVOR

Debtor.

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NATHANAEL ABRON  
Plaintiff,

v.

Adversary Case No. 13-04498

GREEN TREE SERVICING LLC AS AGENT  
FOR GMAC MORTGAGE, LLC, AND  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC. ("MERS"), AND ALL ASSIGNS,

Jointly and Severally,

Defendants.

/

**ORDER RESOLVING COMPLAINT TO DETERMINE THE EXTENT OF THE  
LIEN OF GREEN TREE SERVICING LLC AS SERVICER AND BY AND  
THROUGH ITS LIMITED POWER OF ATTORNEY WITH THE BANK OF  
NEW YORK MELLON TRUST COMPANY, N.A. F/K/A THE BANK OF NEW  
YORK TRUST COMPANY, N.A. AS SUCCESSOR IN INTEREST TO JP  
MORGAN CHASE BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR  
GMACM HOME EQUITY LOAN TRUST, SERIES 2007-HE2**

Upon reading the attached Stipulation entered into between the Plaintiff, Nathanael Abron (hereinafter referred to as "Plaintiff") and Defendant, Green Tree Servicing LLC (as servicer and by and through its Limited Power of Attorney with The Bank of New York Mellon Trust Company, N.A. fka The Bank of New York Trust Company, N.A. as successor in interest to JP Morgan Chase Bank, National Association, as Trustee for GMACM Home Equity Loan Trust, series 2007-HE2) (hereinafter referred to as "Defendant"), the Court orders the following:

**IT IS HEREBY ORDERED** that Defendant shall have a class 5.2 secured claim of \$5,000 to be paid at 5.25% interest over the term of Plaintiff's Chapter 13 Plan. The remainder of Defendant's claim shall be paid as a class nine general unsecured claim pursuant to the terms of Plaintiff's Chapter 13 Plan.

**IT IS FURTHER ORDERED** that upon successful completion of the Plaintiff's Chapter 13 Plan and the Court's entry of an order of discharge in case number 13-48586, the Defendant's mortgage in the face amount of \$70,900.00, dated June 30, 2007, and recorded August 15, 2007,

at Liber 46580, Pages 284-289, in the Wayne County Register of Deeds shall be stripped and discharged from the following property:

Land situated in the State of Michigan, County of Wayne, City of Belleville:

UNIT 66, OF BELLE POINTE ESTATES CONDOMINIUM, ACCORDING TO THE MASTER DEED RECORDED IN LIBER 27582, PAGE 855 THROUGH 902, INCLUSIVE, WAYNE COUNTY RECORDS AND DESIGNATED AS WAYNE COUNTY CONDOMINIUM SUBDIVISION PLAN NO 374, TOGETHER WITH FULL RIGHTS IN GENERAL COMMON ELEMENTS AND LIMITED COMMON ELEMENTS, AS SET FORTH IN THE ABOVE DESCRIBED MASTER DEED IN ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

Commonly known as: 7136 Belle Pointe Dr., Belleville MI 48111

Tax ID: 83-011-02-006-000

**IT IS FURTHER ORDERED** that upon the successful completion of the Plaintiff's Chapter 13 Plan and the entry of the Bankruptcy Court's Order of Discharge, the Defendant, or their successors and assigns shall comply with L.B.R. 2015-5(a)(3)(A)(E.D.M.) and provide the Plaintiff with a termination statement, discharge of mortgage, or other appropriate document/certificate that may be required by the Wayne County Register of Deeds to effectuate a release of the lien.

**IT IS FURTHER ORDERED** that in the event the Defendant, or their successors and assigns, fail to execute and deliver to the Plaintiff any termination statement, or other document that is or may be required by law to release the Second Mortgage, then Plaintiff shall be permitted to use this Order along with the Order of Discharge as authorization for the termination and release of the Second Mortgage.

**IT IS FURTHER ORDERED** that if the Plaintiff fails to complete the Chapter 13 plan and obtain a Chapter 13 discharge order in bankruptcy case number 13-48586 or if this case converts to any other chapter under the United States Bankruptcy Code, this Order does not affect the validity or enforceability of the Mortgage and may not be used in any subsequent bankruptcy case of the Plaintiff either to compel the holder of the Mortgage to execute a discharge of the Mortgage, or to otherwise act as a discharge of the Mortgage.

Signed on September 09, 2013

/s/ Marci B. McIvor

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Marci B. McIvor  
United States Bankruptcy Judge